

SPECIAL MEETING OF THE BOARD OF COMMISSIONERS
CITY OF FRANKFORT, KENTUCKY

JANUARY 15, 2004
5:00 P.M. (EST)

PRESENT: Commissioner Lynn Bowers
Commissioner Tracey Turner Thurman
Commissioner Andrew S. Layson
*Commissioner Robert Roach
Mayor William I. May, Jr. (5)
ABSENT: None (0)

Following roll call, invocation given by Reverend Glenn Spaulding, Associate Pastor, St. John A.M.E. Church.

It was moved by Commissioner Bowers, seconded by Commissioner Thurman, that the reading of the minutes of December 15, 2003 Regular Meeting, December 23, 2003 Special Meeting and January 5, 2004 Work Session be dispensed with and approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted.

Employee Recognition

The following personnel in the Fire Department were recognized for promotion to become effective January 27, 2004 and were presented with badge and insignia:

Robert Martin to rank of Assistant Chief, Rickey Williams to rank of Battalion Chief,
Daniel Shouse and Daniel Miller to rank of Captain, Dennis Hodge to rank of Sergeant..

There being no objection, meeting recessed upon motion by Commissioner Bowers. Meeting reconvened at 5:26 p.m. (*Commissioner Roach arrived.)

Firefighter Marc Wood was recognized and presented badge and insignia for promotion to rank of Lieutenant to become effective January 27, 2004.

Ordinances

"AN ORDINANCE ESTABLISHING A LATERAL MAINTENANCE FEE FOR SEWER SERVICES" was presented and read. This ordinance had its first reading December 15, 2003. It was moved by Commissioner Layson, seconded by Commissioner Thurman, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 1, 2004 Series) Sewer Director William Scalf reported public awareness campaign would include State Journal Q & A, Cable 10 program, notification on February electric and water billing and mailing of post cards.

"AN ORDINANCE AMENDING ORDINANCE NO. 26, 1976 SERIES, AND FRANKFORT MUNICIPAL CODE SECTION 15.30.030 - BLASTING PERMITS" was presented and read. This ordinance had its first reading December 15, 2003. It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 2, 2004 Series)

"AN ORDINANCE REPEALING FRANKFORT/FRANKLIN COUNTY ZONING DISTRICT REGULATIONS, ARTICLE 1, SECTION 1.09 PROVISION FOR WAIVERS AND MODIFICATIONS" was presented and read.

"AN ORDINANCE ADOPTING SUBDIVISION AND SITE PLAN REGULATIONS FOR FRANKFORT AND FRANKLIN COUNTY" was presented and read. This ordinance had its first reading January 15, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Roach, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were

Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 3, 2004 Series)

"AN ORDINANCE AMENDING ORDINANCE NO. 16, 2003 SERIES, AND FRANKFORT MUNICIPAL CODE SECTION 15.16.150 - INSPECTION FEES (ELECTRICAL)" was presented and read. This ordinance had its first reading January 15, 2004. It was moved by Commissioner Layson, seconded by Commissioner Bowers, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 4, 2004 Series)

"AN ORDINANCE AMENDING ORDINANCE NO. 7, 2003 SERIES, APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR FISCAL YEAR 2003-2004" was presented and read.

"AN ORDINANCE APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR THE SEWER LATERAL PROGRAM FOR FISCAL YEAR 2003-2004" was presented and read.

Orders

"AN ORDER AMENDING ORDER NO. 12, 2003 SERIES, RELATING TO CONDITIONS OF EMPLOYMENT FOR FIREFIGHTERS" was presented. It was moved by Commissioner Roach, seconded by Commissioner Bowers, that the order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Order No. 4, 2004 Series)

"AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY, TOURISM DEVELOPMENT CABINET, DEPARTMENT OF FISH AND WILDLIFE RESOURCES, FOR FUNDING IN AN AMOUNT NOT TO EXCEED \$10,000 FOR INTERPRETATIVE WETLAND TRAIL AND ELEVATED BOARDWALK CONSTRUCTION AT COVE SPRING PARK" was presented. It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that the order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Order No. 5, 2004 Series)

"AN ORDER RENAMING TO BE ANNOUNCED AVENUE AS CHAMBERLIN AVENUE" was presented. It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that the order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Order No. 6, 2004 Series)

Consent Calendar

The following miscellaneous and personnel items were presented:

- 6.1 Renewal of agriculture lease with Michael L. Harrod for 35 acres of pastureland on the northeast end of Capitol View Park Bid, lease renewal for one year, from March 1, 2004 through March 1, 2005 (Parks and Recreation);
- 6.2 Authorization to submit application for Rolf H. Jensen Memorial Public Education Award funded by the RJA Group, Inc., in amount of \$5,000 for fire and life safety education program, no local match required for the grant (Fire Department);
- 6.3 Authorization to file an application with the Kentucky Natural Resources and Environmental Protection Cabinet for Litter Abatement Funding for 151 total City street miles (funding level based on public street miles within the City limits, \$7,292.50 received in 2003), with funding from Street Department operating budget for 25% match (Public Works);
- 6.4 Personnel
 - § Confirmation of Nathan S. Wade, Joseph Teasley, Brian T. Olds, Bradley K. Kays, James L. Anglin, and Wayne Briscoe II to position of Firefighter effective December 9, 2003 (Fire Department);
 - § Confirmation of Raymond Walters to position of Maintenance Worker effective January 14, 2004 (Public Works);
 - § Appointment of Jason S. Monroe to position of Firefighter effective January 27, 2004 (Fire Department);

- § Appointment of Linda M. Roberts to position of Office Assistant effective January 27, 2004 (Police Department);
- § Promotion of Robert Martin to rank of Assistant Chief from rank of Battalion Chief, Rickey Williams to rank of Battalion Chief from rank of Captain, Daniel Shouse and Daniel Miller to rank of Captain from rank of Lieutenant, Marc Wood to rank of Lieutenant from rank of Sergeant, and Dennis Hodge to rank of Sergeant from rank of Firefighter, all to become effective January 27, 2004 (Fire Department);
- § Extend conditional offer of employment, contingent upon successful completion of physical examination, to Jason E. Combs for position of Firefighter (Fire Department);
- § Accept resignation of Casey W. Wilson, Patrol Officer, effective January 4, 2004, and authorize payment of 227.5 hours of accrued vacation leave and 91 hours of accrued holiday leave (Police Department);

It was moved by Commissioner Bowers, seconded by Commissioner Thurman, that all of the above listed miscellaneous and personnel items be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent.

Board Appointments

Upon recommendation of Mayor May, it was moved by Commissioner Roach, seconded by Commissioner Bowers, that William D. Kirkland be reappointed to the Housing Authority for a term to expire January 29, 2008; that Sam Marcus be reappointed to the Board of Ethics for a term to expire December 31, 2006; that Willie Peale, Jr. be reappointed to the Board of Ethics for a term to expire December 31, 2005; and that Dianne Doss be appointed to the Board of Ethics for a term to expire December 31, 2004, replacing Barbara Olds-Lancaster whose term has expired. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Old Business

It was moved by Commissioner Bowers, seconded by Commissioner Thurman, to waive the Housing Authority of Frankfort's PILOT (Payment in Lieu of Taxes) payment for 2003 in amount of \$19,210 to help fund the Authority's child care program which has experienced vacancies due to cessation of additional child care subsidies. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson and Roach (4). Abstaining from voting was Mayor May due to serving on the Housing Authority's Board (1). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, that a Professional Services Agreement be entered into with Will Linder and Associates for Environmental Review for the Grand Theatre Project at not-to-exceed fee of \$3,000, with Save The Grand Theatre, Inc. to reimburse the fee to the City according to the executed Memorandum of Agreement, with Will Linder and Associates receiving the highest ranking based on weighted rating points received by a Review Team. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Roach and Mayor May (3). Voting against the motion were Commissioners Thurman and Layson (2). The motion was thereupon adopted.

It was moved by Commissioner Bowers, seconded by Commissioner Roach, that contract with FMSM Engineers for engineering and diving services be extended at not-to-exceed fee of \$28,075, with funding from Sewer Account 200.68.53265, for evaluation of eight remaining river crossings in the Kentucky River in response to a break in the Ewing Street Force Main. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

New Business

It was moved by Commissioner Bowers, seconded by Commissioner Layson, that the Sports Rates Schedule for the 2004 Season as recommended by the Parks and Recreation Advisory Board be approved as follow: \$50.00 per player for Instructional League Baseball and Softball, Minor League Baseball and Softball, Cal Ripken Baseball, and Little League Softball; \$70.00 per player for 13-15 year old Babe Ruth Baseball; \$150.00 per player for 16 year old Babe Ruth Baseball and 17-18 year old Senior Babe Ruth; \$150.00 per player for the Senior Girl's Traveling Team; \$50.00 per day for shelter rentals. The question was put upon the motion and the

roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that the Sewer Department be authorized to solicit bids for the purchase of a camera for performing video inspections of sewer laterals. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that the Board meet in closed session in accordance with KRS 61.810 (1), (b), (f), to discuss property and personnel. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

MAYOR

ATTEST:

CITY CLERK